

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ARBOR GLOBAL STRATEGIES LLC, a Delaware Limited Liability Company,)	
)	
Plaintiff,)	
v.)	C.A. No. 19-1986-MN
)	
XILINX, INC., a Delaware Corporation,)	
)	
Defendant.)	

**DECLARATION OF KRISTOPHER KASTENS IN SUPPORT OF ARBOR GLOBAL
STRATEGIES LLC'S OPPOSITION TO XILINX, INC.'S MOTION TO DISMISS
UNDER FED. R. CIV. P. 12(b)(1) AND 12(b)(6)**

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I, Kristopher Kastens, hereby declare as follows:

1. I am an attorney with the law firm Kramer Levin Naftalis & Frankel LLP, counsel of record for Plaintiff Arbor Global Strategies LLC (“Arbor”). I have personal knowledge of the facts set forth in this declaration and can testify competently to those facts. I submit this declaration in support of Arbor Global Strategies LLC’s Opposition to Xilinx, Inc.’s Motion to Dismiss Under Fed. R. Civ. P. 12(b)(1) and 12(b)(6).

2. Attached hereto as Exhibit 1 is a true and correct copy of the settlement agreement between Arbor Company, LLLP and James Guzy, Marcia Guzy, Mark Guzy, Mary Ann Guzy, and Caroline Guzy Engle and Arbor Financial Corporation, dated February 12, 2009, filed as Exhibit A to the Notice of Entry of Judgment Approving Settlement Agreement in *Guzy v. Guzy, et al.*, No. 05-05031-gwz, Dkt. 688 (Bankr. D. Nev. Feb. 26, 2009).

3. Attached hereto as Exhibit 2 is a true and correct copy of the search results for California UCC Record financial statement filed by Mark Guzy and Mary Ann Guzy on March 12, 2009.

4. Attached hereto as Exhibit 3 is a true and correct copy of the search results for Nevada UCC Record financial statement filed by Mark Guzy and Mary Ann Guzy on March 12, 2009.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Full Satisfaction of Judgment filed in *Guzy v. Guzy, et al.*, No. 05-05031-gwz, Dkt. 696 (Bankr. D. Nev. Feb. 27, 2012).

6. Attached hereto as Exhibit 5 is a true and correct copy of the Order Granting Defendants’ Emergency Motion for Relief From Judgment Under NRCP 60(b)(5) and to Compel Entry of Satisfaction of Judgment Under NRS 17.200, filed in *Guzy v. Arbor Company, et al.*,

No. 05-cv-0322 in the Ninth Judicial District Court of the State of Nevada, Douglas County, on August 1, 2019.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Recordable Assignment of Patent Rights between Arbor Company LLLP and Arbor Global Strategies, LLC dated September 26, 2019, which was recorded before the U.S. Patent and Trademark Office on October 7, 2019.

8. Attached hereto as Exhibit 7 is a true and correct copy of a Xilinx webpage entitled “3D ICs,” available at <https://www.xilinx.com/products/silicon-devices/3dic.html>, last accessed on January 15, 2020.

9. Attached hereto as Exhibit 8 is a true and correct copy of a white paper entitled “Xilinx Stacked Silicon Interconnect Technology Delivers Breakthrough FPGA Capacity, Bandwidth, and Power Efficiency” dated December 11, 2012.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 16, 2020, in New York, NY.

/s/ Kristopher Kastens
Kristopher Kastens

CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that, on January 16, 2020, the within document was served on the following counsel as indicated:

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By: /s/ Philip A. Rovner
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